

REMARKS

Claims 1-21 are pending in the application. The claims have been amended to clarify the "end-to-end" nature of the invention. In particular, the claims now recite a "sending end client that originates a message" and a "receiving end client". Because the claim amendments merely clarify features already present in the claims, the claim amendments should be entered even though they are being submitted in a response to a Final Office Action.

Favorable reconsideration is requested in view of the amendments and following remarks.

I. Claims 1 and 14

Independent claim 1 stands rejected pursuant to 35 U.S.C. § 102(b) as being anticipated by Bird et al., European Patent Application No. 1 043 671 (Bird).

Independent claim 14 stands rejected pursuant to 35 U.S.C. § 103(a) as being obvious over Bird in view of other more tertiary references.

The claimed invention provides a multimedia messaging service (MMS) that incorporates "end-to-end" content capability negotiation. In other words, a sending *end* client *that originates an MMS message* analyzes the content capabilities of a receiving *end* client that is to receive the MMS message. If appropriate, the sending end client may adapt the MMS message to the content capabilities of a receiving end client, or not send a message at all. Bird differs because it is not an end-to-end capability negotiation system.

In its description of current MMS systems, Applicants describe the use of a server to adapt MMS content. In particular, a user agent profile (UAprof) is published on a public repository server. "In MMS, content adaptation is performed at a server after the UAprof has been obtained from a repository or local cache." (See Application at page 4, lines 3-15.) The current invention avoids deficiencies associated with such current MMS:

In order to achieve better performance than that of current systems using MMS, end-to-end capability negotiation is achieved via various embodiments of the invention. If the sending client is able to ascertain the

capabilities of the receiving client before a multimedia message is composed or sent, the waste of air traffic that can occur with MMS-service adaptation can be avoided.

(Application at page 4, lines 20-24.)

Bird discloses precisely the type of MMS system that is overcome by the claimed invention. In Bird, a “message service agent” receives client capability information from subscriber devices. The client capability information is then passed to a “message broker” for storage. MMS messages are then received by the message broker, which compares the messages to the capability information and adapts the content as necessary. (See, e.g., Bird at paragraphs [0007], [0036-0044].) The sending end client that originates an MMS message plays no role in the capability analysis. The result is a potential waste of resources because regardless of the capabilities of a receiving end client (a subscriber device), a given MMS message must always be sent from the sending end client to the message broker.

In contrast, in the claimed invention such wasteful messaging is avoided by having the sending client perform the capability analysis. In the claimed “end-to-end” system, therefore, the analyzing functions of the message broker essentially are integrated into the originating sending client, thereby reducing waste. For example, if the sending end client determines that a receiving end client is incapable of rendering a message, even in an adapted form, the sending client need not send any message at all. There also need not be any resources devoted to adaptation. The “end-to-end” nature of the present invention has been clarified. In particular, independent claims 1 and 14 have been amended to recite that the sending client is a “sending end client that originates a message”, and that the receiving client is a “receiving end client”. Comparable amendments have been made to the dependent claims. As demonstrated herein, Bird does not operate in this manner.

For the foregoing reasons, independent claim 1 is not anticipated by Bird, and independent claim 14 is not obvious over Bird in view of the other tertiary references. Accordingly, the rejection of claims 1 and 14 should be withdrawn.

II. The Remaining Claims

Claims 2, 3, and 7 stand rejected pursuant to 35 U.S.C. § 102(b) as being anticipated by Bird. Claims 4-6, 8-13, and 15-21 stand rejected pursuant to 35 U.S.C. § 103(a) as being obvious over Bird in view of other more tertiary references. These claims all depend from claims 1 or 14, and therefore are patentable for at least the same reasons. The tertiary references do not supply the deficiencies of Bird, and the Examiner does not indicate otherwise. Accordingly, the rejection of these claims should be withdrawn.

III. Conclusion

In view of the foregoing, claims 1-21 are believed to be allowable, and the application is believed to be in condition for allowance. Accordingly, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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